

# **PUBLIC SAFETY DEPARTMENT[661]**

## **Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 100C.7, the State Fire Marshal hereby amends Chapter 275, "Certification of Automatic Fire Extinguishing System Contractors," Iowa Administrative Code.

Iowa Code chapter 100C establishes the Fire Extinguishing System Contractor Certification Program under the State Fire Marshal. Fees for certification are established by administrative rule (661—275.5(100C)), including a fee for issuance of an amended certification. Relocation of a business to a new address would constitute a material change requiring an amended certification. The amendment adopted herein provides that if the relocation of a certified contractor stems from conditions related to a disaster emergency proclamation issued by the Governor, then the amended certificate shall be issued at no charge to the contractor.

Pursuant to Iowa Code section 17A.4(2), the State Fire Marshal finds that notice and public participation prior to the adoption of this amendment are impracticable, as it is desirable that contractors who relocate because of disaster emergency conditions be able to retain their certification without additional cost and that this provision be in effect as quickly as possible.

Pursuant to Iowa Code section 17A.5(2)"b"(2), the State Fire Marshal further finds that the normal effective date of this amendment, 35 days after publication, should be waived and the amendment be made effective July 1, 2008, after filing with the Administrative Rules Coordinator. This amendment confers a benefit upon the public by immediately removing a barrier to contractors who need to obtain an amended license because they have relocated due to disaster emergency conditions.

This amendment is also being included in a Notice of Intended Action in order to allow for public comment. The Notice is published herein as **ARC 7005B**.

This amendment became effective July 1, 2008.

This amendment is intended to implement Iowa Code chapter 100C.

The following amendment is adopted.

Amend subrule 275.5(4) as follows:

**275.5(4) Amended certification fee.** The fee for issuance of an amended certification is \$100. The fee shall be submitted with the request for an amended certification. A contractor shall request and the fire marshal shall issue an amended certificate for any of the ~~following~~ items listed in paragraphs "a," "b," and "c":

- a. A change in the designation of a responsible managing employee;
- b. A change in insurance coverage; or
- c. A change in any other material information included in or with the initial or renewal application.

A change in the address of the business is a material change. However, if the request for an amended certificate is solely a change of business address, the address of the business to which the certificate being amended was sent is in an area subject to a disaster emergency proclamation issued by the governor pursuant to Iowa Code section 29C.6, and the relocation occurs as a result of flooding or storm damage or other conditions which form a basis for the issuance of the disaster emergency proclamation, the fee shall not apply, although an amended certificate shall be issued.

d. Other changes in the information required in the application form, including renewal of insurance coverage with a new expiration date, shall be reported to the fire marshal but shall not require issuance of an amended certification or payment of the amended certification fee.

[Filed Emergency 6/30/08, effective 7/1/08]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/30/08.